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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450; Alexandria, VA 22313-1450, on the belowdate Name: Anthony P. Curtis, Ph.D., 46,193 Signature:

BRINKS HOFER GILSON &LIONE

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Filed		December 22, 2003							2871	3		
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For:												
Attor	ney Docke	t No:	1012	5/4130								
Mail Stop Missing Parts Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450							TRANSMITTAL					
Sir:												
Attac	hed is/are:											
$\boxtimes$	Transmittal Cover Letter (1p. Filed in Dup.); Copy of Notice to File Missing Parts; Response to Notice to File Missing Parts and Supplemental Preliminary Amendment (11pp.); Copy of PTO Stamped Postcard dated December 22, 2003; Copy of Executed Combined Declaration/Power of Attorney											
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Fee c	alculation:									•		
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Fee p	ayment:											
	A check in t	he amoun	t of \$	is enclosed.								
	Please charge Deposit Account No. 23-1925 in the amount of \$ . A copy of this Transmittal is enclosed for this purpose.											
	Payment by	credit ca	rd in the	amount of \$	(Form PTC	D-2038 is a	ittached).					
⊠	§ 1.16 and (including a	any pate any exter	ent appl	orized to charge pay lication processing see required to en- count No. 23-1925.	fees unde	r 37 CFR	§ 1.17 as	soci	ated with	this paper		
	Respectfully submitted,											

Anthony P. Curtis, Ph.D. (Reg. No. 46,193)



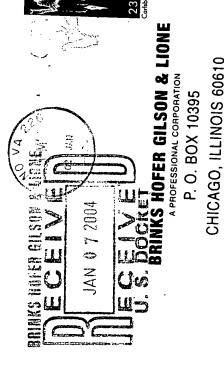
EXP MAIL LABEL EY 327173317 US Serial No. NEW PATENT APPLICATIO Case No. 10125/4130 (F03-073US001) Applicant: Woo Hyun Kim et al.

Alexandria, VA 22313

MAIL STOP Patent Application Commissioner for Patents P.O. Box 1450

Please admowledge receipt of the below-identified: Checks in the amount of \$1770 and \$40; Patent Application Transmittal Letter (1p. Filed in Dup.); Patent Application (45pp. of Specification Including cover page and 2 sheets of Drawings); Assignment Recordation Form Cover Sheet (1p.); Executed Assignment (2pp.); Combined Declaration/Power of Attorney; Submission of Certified Copy of Priority Document (1p.); Certified Copy of P2002-87763; Pretiminary Amendment (13pp.); and PTO Repty Postcard

BRINKS HOFER GILSON & LIONE Anthony P. Curtis, Ph.D., Reg. No. 48,193 Dated: December 22, 2003



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Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandria, Vuginia 22313-1450 www.uspid.gov

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/743,173

**BRINKS HOFER GILSON & LIONE** 

12/22/2003

Woo Hyun Kim

10125/4130

CONFIRMATION NO. 7751

FORMALITIES LETTER

\*OC000000013814181\*

Date Mailed: 09/16/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/19/2004 MBEYENE1 00000045 231925

P.O. BOX 10395

CHICAGO, IL 60610

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10743173

FILED UNDER 37 CFR 1.53(b)

01 FC:1051

130.00 DA

Filing Date Granted

## **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Figure(s) 4 12 described in the specification.
- I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.
- II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date

being requested when submitting the omitted items(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within TWO MONTHS of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b). In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

## **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

• \$130 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY